

REMARKS

In the February 1, 2006 Office Action, the drawings and specification were objected to and claims 1-16 stand rejected in view of prior art. Also, claims 11 and 13 were objected to, and claims 1-16 also were rejected for failing to indicate and claim particularly and distinctly the subject matter that Applicant regards as the invention. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the February 1, 2006 Office Action, Applicant has amended the specification and claims as indicated above. Also, Applicant has cancelled claims 3, 15 and 16 and added new claims 17-27. Thus, claims 1, 2, 4-14 and 17-27 are now pending, with claims 1 and 23 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Drawings

In paragraph 2 of the Office Action, the drawings were objected to as failing to comply with 37 CFR §1.83(a). In particular, the front derailleur of claim 16 was required to be added to the drawings or the feature cancelled from the claims. In response, Applicant has cancelled claim 16, and thus deleted the front derailleur from the claims. Applicant believes that the drawings now comply with 37 CFR §1.83(a). Accordingly, Applicant respectfully requests withdrawal of this objection.

Specification

A Substitute Specification and a marked-up version of this Substitute Specification are also attached hereto. The marked-up version of this Substitute Specification has additions indicated by underlining and deletions indicated by strikethrough. This Substitute Specification is being submitted to more closely place this application in U.S. format, to use terminology more typical of the bicycle art, and to correct grammatical and/or typographical errors as well as awkward and/or confusing language. No new matter is included in this Substitute Specification. Accordingly, entrance of this Substitute Specification is respectfully requested.

Claim Objections

In paragraph 3 of the Office Action, claims 11 and 13 are objected to because of the inclusion of the term "its" in these claims. In response, Applicant has amended these claims to remove the objectionable language. Accordingly, Applicant respectfully requests withdrawal of this objection.

Claim Rejections - 35 U.S.C. §112

In paragraphs 4 and 5 of the Office Action, claims 1-16 were rejected under 35 U.S.C. §112, second paragraph due to unclear language in claims 1, 12, 15 and 16. In response, Applicant has amended claims 1 and 12 to clarify these claims, while Applicant has deleted claims 15 and 16. Applicant believes that the claims now comply with 35 U.S.C. §112, second paragraph. Accordingly, Applicant respectfully requests withdrawal of this objection.

Rejections - 35 U.S.C. § 102

In paragraphs 6 and 7 of the Office Action, claims 1-6, 12 and 14 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,677,103 (Huret et al.). In response, Applicant has amended independent claim 1 to more clearly define the present invention over the prior art of record.

In particular, independent claim 1 as now amended requires, *inter alia, a guide arm pivotally coupled to said movable member so as to be freely rockable around a first rocking axis without being rotationally biased in a predetermined rotational direction*. Also, Applicant has clarified that a biasing spring is provided between said tension arm and said movable member in order to bias said tension sprocket in a rearward direction relative to the bicycle frame. Clearly, this structure is *not* disclosed or suggested by the '103 patent or any other prior art of record.

Specifically, in the '103 patent, the so-called guide arm (17₁) and the so-called tension arm (18₂) are both rotationally biased. Thus, the so-called guide arm (17₁) is not pivotally coupled to said movable member so as to be freely rockable around a first rocking axis without being rotationally biased in a predetermined rotational direction, as now clearly required by independent claim 1. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within

the reference. Therefore, Applicant respectfully submits that claim 1, as now amended, is not anticipated by the prior art of record. Accordingly, withdrawal of the rejection of independent claim 1 is respectfully requested.

Moreover, Applicant believes that the dependent claims 2-6, 12 and 14 are also allowable over the prior art of record in that they depend from independent claim 1, and therefore are allowable for the reasons stated above. Also, the dependent claims 2-6, 12 and 14 are further allowable because they include additional limitations. Accordingly, Applicant respectfully requests withdrawal of the rejection of these dependent claims.

Rejections - 35 U.S.C. § 103

In paragraphs 8-11 of the Office Action, claims 7-11 and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 3,677,103 (Huret et al.) in combination with U.S. Patent No. 6,419,602 (Soon), U.S. Reissue Patent No. Re. 36,830 (Lumpkin), or U.S. Patent No. 6,793,598 (Savard). Claims 7-9 stand rejected as being unpatentable over U.S. Patent No. 3,677,103 (Huret et al.) in view of U.S. Patent No. 6,419,602 (Soon). Claims 7-10 stand rejected as being unpatentable over U.S. Patent No. 3,677,103 (Huret et al.) in view of U.S. Patent No. RE36830 (Lumpkin). Claims 11-13 stand rejected as being unpatentable over U.S. Patent No. 3,677,103 (Huret et al.) in view of U.S. Patent No. 6,793,598 (Savard). In response, Applicant has amended independent claim 1 to more clearly define the present invention over the prior art of record, as mentioned above.

In particular, independent claim 1 as now amended requires, *inter alia, a guide arm pivotally coupled to said movable member so as to be freely rockable around a first rocking axis without being rotationally biased in a predetermined rotational direction.* Also, Applicant has clarified that a biasing spring is provided between said tension arm and said movable member in order to bias said tension sprocket in a rearward direction relative to the bicycle frame. Clearly, this structure is *not* disclosed or suggested by the '103 patent, the '602 patent, the '830 patent, or the '598 patent or any other prior art of record whether taken singularly or in some combination.

As mentioned above, in the '103 patent (the primary reference in this section of the Office Action), the so-called guide arm (17₁) and the so-called tension arm (18₂) are both rotationally biased. Thus, the so-called guide arm (17₁) is *not pivotally coupled to said movable member so as to be freely rockable around a first rocking axis without being*

rotationally biased in a predetermined rotational direction, as now clearly required by independent claim 1. The remaining references, i.e., the '602 patent, the '830 patent, and the '598 patent fail to account for the deficiencies of the '103 patent with respect to independent claim 1

Specifically, none of these references disclose or suggest a guide arm pivotally coupled to said movable member so as to be freely rockable around a first rocking axis without being rotationally biased in a predetermined rotational direction, and a biasing spring is provided between said tension arm and said movable member in order to bias said tension sprocket in a rearward direction relative to the bicycle frame. Rather, these references basically disclose conventional chain guides in which both tension sprocket and guide sprocket are mounted to plates that are rotationally biased relative to a movable member. Accordingly, even if these references were somehow combined with the derailleur of the '103 patent as suggested in the Office Action, any hypothetical devices created by such combinations would not include all of the limitations of independent claim 1.

It is well settled in U.S. patent law that the mere fact that the prior art can be modified does *not* make the modification obvious, unless the prior art *suggests* the desirability of the modification. Accordingly, the prior art of record lacks any suggestion or expectation of success for combining the patents to create the Applicant's unique arrangement of independent claim 1.

Applicant believes that the dependent claims 7-11 and 13 are also allowable over the prior art of record in that they depend from independent claim 1, and therefore are allowable for the reasons stated above. Also, the dependent claims 7-11 and 13 are further allowable because they include additional limitations.

Prior Art Citation

In the Office Action, additional prior art references were made of record. Applicant believes that these references do not render the claimed invention obvious.

New Claims

Applicant has added new claims 17-27 by the current Amendment. New claims 17-22 are dependent claims, which depend from independent claim 1. New dependent claims 17-22 are believed to be allowable for the reasons discussed above with respect to claim 1.

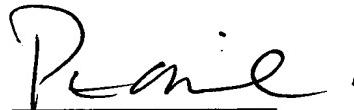
New claim 23 is an independent claim. New independent claim 23 requires a guide arm and a tension arm pivotally coupled to the movable member about offset axes with the guide arm and tension arm being configured and arranged to move independently of each other, and a distance between said first rocking axis and said second rocking axis being no larger than a distance between said first rocking axis and said first rotation axis. This arrangement is not disbelieved to be disclosed or suggested in the prior art.

New claims 23-27 are dependent claims, which depend from independent claim 23. New dependent claims 23-27 are believed to be allowable for the reasons discussed above with respect to claim 23.

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In view of the foregoing amendment and comments, Applicant respectfully asserts that claims 1, 2, 4-14 and 17-27 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested. If there are any question regarding this Amendment, please feel free to contact the undersigned.

Respectfully submitted,



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